

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs.

CRIMINAL 03-0153CCC

1) JOSE ALMONTE-PEÑA  
a/k/a Joselito, a/k/a Compadrito  
Counts 1, 2, and 3  
2) MATEO JUAN HOLGUIN-OVALLE  
a/k/a El Don  
Count 2  
3) MANUEL ANTONIO PAULINO  
a/k/a Campi, a/k/a Capi  
Counts 2, 3 and 4  
4) JEROVIN EDUARDO UBIERA  
a/k/a Jevo  
Counts 1 and 2  
5) MIGUEL MENDEZ-ROJAS  
Counts 1 and 2  
6) ANGEL R. GARCIA  
a/k/a Rene  
Counts 1, 2, 3 and 4  
7) RAFAEL INOA SANTANA  
a/k/a Felo  
Count 1  
**8) CARLOS JACA-ROSARIO**  
a/k/a Jaca  
Counts 1 and 3

Defendants

**ORDER**

During the sentencing hearing held on May 16, 2006, defendant's counsel claimed that the Court had to include in its sentence a four-month credit for time already served in relation to this case. She also mentioned that she would raise before Judge Pérez-Giménez the fact that defendant had not been given a four-month credit in the sentence imposed in Criminal No. 04-105(PG). Calculations regarding credit for time already spent in connection with the sentence imposed are made by the Bureau of Prisons. We note, however, that since our case is older than Judge Pérez-Giménez' case, it can be assumed that he was first arrested in relation to this one. Thus, any credit for time spent after his arrest in this case would also include any detention period after the arrest related to the offense committed in Criminal No. 04-105(PG), which can be

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expected to be in excess of the four (4) months claimed by defense counsel. In any event, whatever the ultimate calculation, defendant will be given credit in this case (and not in Criminal No. 04-105(PG)), for the period of detention from his arrest in this case through the imposition of sentence in Judge Pérez-Giménez' case. The Bureau of Prison (BOP) records verified by the U.S. Probation Officer with Tanya Mathewson, Management Analyst, reflect that the period that he would be credited by the BOP runs from the date of his arrest in this case, November 12, 2003, until June 8, 2005, the date of imposition of sentence in Judge Pérez-Giménez' case, for a total of nearly nineteen (19) months, and not the four (4) month period between the two arrests which defense counsel incorrectly states. The Court's sentence remains as imposed on May 16, 2006. The BOP will make the corresponding calculations in this case regarding the matter discussed above as it does in every case. Once that credit is applied in this case, it shall not be credited in Judge Pérez-Giménez' case.

SO ORDERED.

At San Juan, Puerto Rico, on May 23, 2006.

S/CARMEN CONSUELO CEREZO  
United States District Judge